

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CAPRI SUN GMBH,

Plaintiff,

-v-

AMERICAN BEVERAGE CORPORATION,

Defendant.

19 Civ. 1422 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

For the reasons stated at today's hearing, the Court orders the parties to file by Monday, September 25, 2023:

- Each party's proposed trial exhibit list with a joint letter outlining the parties' respective positions as to those disputes about admissibility that merit resolution before trial.
- Each party's proposed verdict form.
- A letter from each party addressing whether, as damages, the 2023 royalty under the SLA is available in its entirety or only prorated through trial.
- A letter from each party addressing the proper means of instructing the jury as to those *Polaroid* factors that the Court has resolved in its summary judgment decision.

For the avoidance of doubt, the jury trial in this case will begin on October 16, 2023.

SO ORDERED.

  
PAUL A. ENGELMAYER  
United States District Judge

Dated: September 11, 2023  
New York, New York